

SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Papan Analyst: Darrine Distefano Bill Number: AB 1759

Related Bills: See Prior Analysis Telephone: 845-6458 Amended Date: 04-27-2000

Attorney: Patrick Kusiak Sponsor:

SUBJECT: Public Records/State Agency Reports and Studies Available on the Internet

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced 01-18-2000.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

REMAINDER OF PREVIOUS ANALYSIS OF BILL AS INTRODUCED 01-18-2000 STILL APPLIES.

OTHER - See comments below.

SUMMARY OF BILL

This bill would amend the Public Records Act to require any state agency that maintains an Internet site or causes an Internet site to be maintained to list on that site all reports and studies initiated and prepared by that agency that are otherwise subject to disclosure.

SUMMARY OF AMENDMENT

The April 27, 2000 amendments:

- Added legislative intent language regarding the California Public Records Act.
- Reworded the requirement that state agencies make available on the Internet site a list of all reports and studies and all pending reports and studies; clarified that the list shall be updated no more than 10 working days after the completion or initiation of the report or study; and added that any report or study must remain on the Internet site for a period of one year from the date it was added to the list.
- Added double-joining language to AB 2100 that requires state agencies to submit proposals to the California Internet Portal Management Authority (CIPMA) for continued posting on the Internet beginning July 1, 2001.
- Also specified in the double-joining language that if the provision regarding the CIPMA becomes effective, the requirement to make available a list of all completed and pending reports or studies on the Internet will not be effective.

Except for the amendment described above, the remainder of the department's analysis of the bill as introduced January 18, 2000, still applies. The unresolved implementation considerations are provided below for convenience.

Board Position:

<input checked="" type="checkbox"/> S	<input type="checkbox"/> NA	<input type="checkbox"/> NP
<input type="checkbox"/> SA	<input type="checkbox"/> O	<input type="checkbox"/> NAR
<input type="checkbox"/> N	<input type="checkbox"/> OUA	<input type="checkbox"/> PENDING

Legislative Director

Date

Johnnie Lou Rosas

5/19/00

Implementation Considerations

The department prepares a variety of unofficial working documents intended for internal use. Clarifying the definition of "all reports and studies subject to disclosure" to mean only those reports and studies that are finalized and ready to be released to the public would assist the implementation of the bill. Without this clarification, the bill could be interpreted to require all working documents to be posted on the department's web site. Since the department already provides the full text of public reports subject to disclosure on its web site, making a list of reports available or in preparation would not significantly impact the department.

BOARD POSITION

Support. At its March 27, 2000, meeting the Franchise Tax Board voted 2-0 to support this bill, as it was introduced January 18, 2000, with Member B. Timothy Gage abstaining.